

REMARKS

This amendment is being filed in response to the Final Office Action mailed June 1, 2007 and subsequent to the notice of appeal filed with USPTO on November 1, 2007. In that Office Action, claims 1-21 were rejected on prior art grounds. Claim 8 is being amended in order to present the claim in better form for appeal. Accordingly, claims 1-21 remain pending in the application.

Rejections under §112, Second Paragraph

Independent claims 1, 8, and 15 stand rejected under 35 U.S.C. §112, second paragraph, on the grounds that certain terminology in these claims lack proper antecedent basis. Applicant is hereby amending independent claim 8 under the provisions of 37 C.F.R. § 1.116 (b)(2) to address this rejection.

In the Final Office Action, claim 8 was rejected for reciting “the vehicle” in line 5 and lacking sufficient antecedent basis for this limitation. The preamble of claim 8 has been amended to recite a computer readable medium storing a computer program for a system to receive email attachments **at a vehicle**. This provides the necessary support for the later reference in the claim to “the vehicle”. This amendment is being made solely to address the formality noted by the Examiner and does not substantively impact the claim. Accordingly, this amendment is proper under 37 C.F.R. §41.33(a) and 37 C.F.R. § 1.116 (b)(2), since it results in placing the rejected claims in better form for consideration on appeal. Therefore, Applicants respectfully ask that the amendment be entered.

The Final Office Action also rejected claim 1 because of the term “the vehicle” and argued that this claim lacked antecedent basis for the terminology. Applicant respectfully disagrees. Claim 1 references a “vehicle” in the preamble and this provides proper antecedent support.

Claims 1, 8, and 15 were also rejected on the ground that they lack antecedent basis for “the content.” MPEP §2173.05(e) addresses rejections based on a lack of antecedent basis under §112, second paragraph. This section states that subject matter

which is inherent in other recited elements of a claim need not be explicitly introduced. In this case, the term “the content” in claims 1, 8, and 15 is followed by the prepositional phrase “of the email attachment.” As is known by those skilled in the art, an email attachment necessarily includes content of some kind and so no explicit antecedent support is needed. Accordingly, for at least these reasons, Applicants respectfully request reconsideration of the claim rejections under §112 second paragraph.

In view of the foregoing, Applicants respectfully submit that the claims are allowable under § 112. Reconsideration is therefore requested. The Examiner is invited to telephone the undersigned if doing so would advance prosecution of this case.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0960 for any required fees or to credit that same deposit account with any overpayment associated with this communication.

Respectfully submitted,

REISING, ETHINGTON, BARNES, KISSELLE, P.C.

/James D. Stevens/

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JDS/ECC

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